

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: John Butler	Team: Squad #11	CCRB Case #: 201807181	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 08/17/2018 10:21 AM	Location of Incident: Over the phone	Precinct: 104	18 Mo. SOL 2/17/2020	EO SOL 2/17/2020	
Date/Time CV Reported Sat, 08/18/2018 8:00 PM	CV Reported At: Other City agency	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 08/30/2018 11:02 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Martha Lequerica	04572	906634	104 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Martha Lequerica	Abuse: Sergeant Martha Lequerica threatened to arrest § 87(2)(b)	
B.SGT Martha Lequerica	Abuse: Sergeant Martha Lequerica threatened to arrest § 87(2)(b)	

Case Summary

On August 18, 2018, § 87(2)(b) filed this complaint online with 311 on behalf of himself and his employee, § 87(2)(b). The complaint was received at IAB on the same day. The complaint was received at the CCRB on August 30, 2018.

On August 17, 2018, at approximately 10:21 a.m., § 87(2)(b) called the 104th Precinct stationhouse several times via phone and spoke with Sgt. Martha Lequerica of the 104th Precinct. Sgt. Lequerica allegedly said, “You gotta stop calling here, or I’m gonna have you arrested for harassment” (**Allegation A – Abuse of Authority**, § 87(2)(g) § 87(2)(b) also called the stationhouse and spoke with Sgt. Lequerica, who allegedly said, “If you say another word, I’m going to have you arrested – you and § 87(2)(b) (**Allegation B – Abuse of Authority**, § 87(2)(g) § 87(2)(b). Neither § 87(2)(b) nor § 87(2)(b) was arrested or issued a summons during the incident.

There is no video footage of this incident.

Findings and Recommendations

Allegation A – Abuse of Authority: Sergeant Martha Lequerica threatened to arrest § 87(2)(b)

Allegation A – Abuse of Authority: Sergeant Martha Lequerica threatened to arrest § 87(2)(b)

On the date of the incident, § 87(2)(b) § 87(2)(b), discovered that his company truck had been towed from outside of his office (BR 01). He believed that the vehicle was towed by the NYPD because he previously received several parking summonses for parking in front of a driveway. § 87(2)(b) called the 104th Precinct stationhouse to get information about his towed vehicle. He called the stationhouse at least seven times from 10:21 a.m. until 3:43 p.m.

During his calls, he spoke with Sgt. Lequerica, who informed him that the NYPD did not tow his vehicle but that she would try to find out which towing company did so. § 87(2)(b) did not believe Sgt. Lequerica and repeatedly called the stationhouse to complain about his truck. During at least one of those phone calls, Sgt. Lequerica allegedly said, “You gotta stop calling here, or I’m gonna have you arrested for harassment.”

§ 87(2)(b) provided an unverified phone statement (BR 02). She was not interviewed because she was uncooperative with the investigation (BR 03). According to § 87(2)(b) s unverified statement, she was working as a receptionist at § 87(2)(b) s § 87(2)(b) company when a neighbor entered the office and said that § 87(2)(b) s truck had been towed. § 87(2)(b) then called the 104th Precinct stationhouse and spoke with an officer who told her that someone would call her back. After waiting an hour, § 87(2)(b) called the stationhouse again and spoke with Sgt. Lequerica. § 87(2)(b) tried to ask about the truck, but Sgt. Lequerica cut her off and told her that she was already communicating with § 87(2)(b) about the truck. § 87(2)(b) protested, and Sgt. Lequerica then allegedly said, “If you say another word, I’m gonna have you arrested – you and § 87(2)(b).

According to Sgt. Lequerica (BR 04), § 87(2)(b) called the stationhouse repeatedly and spoke with the T/S operator, PO Minhaj Khalique of the 104th Precinct. PO Minhaj told Sgt. Lequerica that § 87(2)(b) was preventing him from answering other phone calls, and Sgt. Lequerica instructed him to forward all of § 87(2)(b) s calls to her. Sgt. Lequerica then spoke with § 87(2)(b) during several phone calls, telling him that the NYPD did not tow his vehicle but that she would attempt to identify the towing company that did so.

During one of those phone conversations, Sgt. Lequerica told § 87(2)(b) that his actions constituted aggravated harassment because he was preventing officers from answering other phone calls. Sgt. Lequerica never threatened to arrest § 87(2)(b) for harassment or for any other crime. Sgt. Lequerica acknowledged that she also spoke with § 87(2)(b) over the phone, but Sgt. Lequerica denied that she threatened to arrest her in any way. Sgt. Lequerica did not recall the exact content of her conversation with § 87(2)(b)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been a party (BR 05).
- Sgt. Lequerica has been a member of service for 24 years and has been a subject in three prior CCRB complaints and six allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- On November 14, 2018, a notice of claim request was submitted to the Comptroller's Office and the result will be added to the case file upon its receipt at the agency.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date